IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

THURSDAY, THE TWENTY EIGHTH DAY OF DECEMBER
TWO THOUSAND AND SIX

PRESENT

THE HON'BLE MR JUSTICE J.CHELAMESWAR
AND
THE HON'BLE MR JUSTICE D.APPA RAO

WRIT PETITION No.26948 OF 2006

Between:

M/s.Carzonrent (India) Private Limited,
Begumpet, Hyderabad, rep.by its
Managing Director Rajiv K.Vij.

..... PETITIONER

AND

Commercial Tax Officer,
Begumpet, Circle,
Hyderabad, and others.

....RESPONDENTS

THE HON'BLE MR JUSTICE
J.CHELAMESWAR
AND
THE HON'BLE MR JUSTICE
D.APPA RAO

WRIT PETITION No.26948 OF 2006

O R D E R
(Per Sri Justice J.Chelameswar)

The issue involved in the instant writ petition is squarely covered by an order of this Court in W.P.No.26886 of 2006, dated 27.12.2006. Accordingly, this writ petition is disposed of following the order passed in the said writ petition.

However, in the instant case, we are of the opinion that there is a failure of natural justice while making the assessment. The impugned order is therefore set aside. It is agreed by the learned counsel for the petitioner and the learned Government Pleader for Commercial Taxes that the petitioner shall file his objections, if any, to the show cause notice on or before 10.01.2007, upon receipt of which it is open to the respondents to pass fresh assessment order for the year 2003-2004, in accordance with law, after giving a reasonable opportunity to the petitioner. No costs.

JUSTICE J.CHELAMESWAR

JUSTICE D.APPA RAO

28th DECEMBERR, 2006

NOTE:
Office is directed to append the copy of the order passed in WP No.26886/06, dated 27.12.2006 to this W.P. also.

(B/O)PGS

THE HON'BLE MR JUSTICE J.CHELAMESWAR
AND
THE HON'BLE MR JUSTICE D.APPA RAO

WRIT PETITION No.26948 OF 2006
(Per Sri Justice J.Chelameswar)

28TH DECEMBER, 2006